

1/16/96 UTILITY EASEMENT  
LOT 7, BLK 1, KANE ADDN.  
4809 W 66th STREET



City of Edina

**NOTICE OF COMPLETION OF PROCEEDINGS ON VACATION OF  
EASEMENT FOR UTILITY AND DRAINAGE  
PURPOSES IN THE CITY OF EDINA, HENNEPIN COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on January 16, 1996 adopted a Resolution Vacating the Easement for Drainage and Utility Purposes after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said easement vacation be made, which resolution ordered the vacation of the following described easement for utility and drainage purposes, of over Lot 7, Block 1, KANE ADDITION according to the recorded plat thereof, Hennepin County, Minnesota. (Also known as 4809 West 66th Street) described as follows:

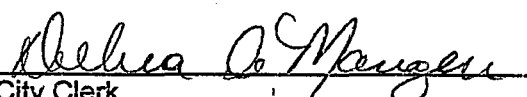
That portion of an existing utility and drainage easement lying within the following described property: the north 46.5 feet of the South 60.0 feet lying west of the East 6.0 feet thereof on Lot 7, Block 1, KANE ADDITION.

Said vacation did not affect, and there was continued, reserved, and retained, by the said resolution ordering the vacation, the following existing easements and authority in, on and under the above vacated area:

(a) The authority of Northern States Power Company, US West Communications, Paragon Cable Minnesota, or Minnegasco to enter upon the above vacated area for the maintenance, replacement, repair and removal of and for otherwise attending to, underground conduit, manholes, cables, wires and poles required for utility service now in, on or under the above vacated area.

The time of completion of proceedings and the effective date of said vacation is January 16, 1996.

BY ORDER OF THE CITY COUNCIL,  
CITY OF EDINA

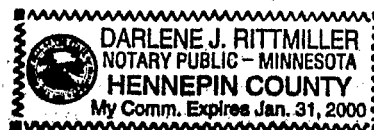
  
City Clerk

Signed and sworn to before me, a Notary Public in and for the State of Minnesota, County of Hennepin, this 19<sup>th</sup> day of January, 1996.

  
Notary Public

This document was drafted by:

City of Edina  
4801 West 50th Street  
Edina, MN 55424



**COPY**

OFFICE OF THE REGISTRAR  
OF TITLES  
HENNEPIN COUNTY, MINNESOTA  
CERTIFIED FILED ON

JAN 25 1996 *3pm*

*Don Cochran*

CLERK OF TITLES

BY *Don Cochran* DEPUTY



*Return to Brett Allen (76)  
Dorsey & Whitney*



## AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)

SS.

COUNTY OF HENNEPIN)

Donald W. Thurlow, being duly sworn on an oath says that he/she is the publisher or authorized agent and employee of the publisher of the newspaper known as Sun-Current, and has full knowledge of the facts which are stated below.

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

(B) The printed Notice of Public Hearing

which is attached was cut from the columns of said newspaper, and was printed and published once each week, for two successive weeks; it was first published on Wednesday the 27 day of December, 1995, and was thereafter printed and published on every Wednesday to and including Wed, the 3 day of January, 1996; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of the notice:

abcdefghijklmnopqrstuvwxyz

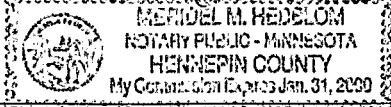
BY: Donald W. Thurlow

TITLE: Publisher

Acknowledged before me on this

3 day of January, 1996.

Notary Public



## RATE INFORMATION

- |  |                         |
|--|-------------------------|
| (1) Lowest classified rate paid by commercial users for comparable space | \$ <u>1.90</u> per line |
| (2) Maximum rate allowed by law for the above matter                     | \$ <u>1.90</u> per line |
| (3) Rate actually charged for the above matter                           | \$ <u>1.02</u> per line |

City of Edina

(Official Publication)

CITY OF EDINA

4801 WEST 50TH STREET

NOTICE OF PUBLIC HEARING ON VACATION OF DRAINAGE EASEMENT IN THE CITY OF EDINA HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota will meet at the Edina City Hall, 4801 West 50th Street on January 16, 1996, at 7:00 P.M. for the purpose of holding a public hearing on the proposed vacation of a portion of the drainage and utility easement over Lot 7, Block 1, KANE ADDITION according to the recorded plat thereof, Hennepin County, Minnesota. (Also known as 4809 West 66th Street) described as follows:

That portion of an existing utility and drainage easement lying with the following described property: the north 46.5 feet of the South 60.0 feet lying west of the East 6.0 feet thereof on Lot 7, Block 1 KANE ADDITION.

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed vacation and the extent to which the vacation affects the authority of any person, lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation, to continue maintain, repair replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain and to enter upon the area of proposed vacation shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Debra Mangen, City Clerk

(Dec. 27, 1995 & Jan. 3, 1996)-ED



City of Edina

January 19, 1996

Mr. Jerome P. Gilligan  
Dorsey & Whitney  
200 First Bank Place East  
Minneapolis, MN 55402-1498

Re: Notice of Completion of Proceedings  
Vacation of Utility and Drainage Easement  
Lot 7, Block 1, KANE ADDITION  
(4809 West 66th Street)

Dear Jerry:

I am sending you two certified copies of the Notice of Completion of Proceedings for the above referenced easement vacation. Please have the Notice of Completion entered into the transfer record of the County Auditor and filed with the County Recorder and then return the recorded document to me. Thank you.

Sincerely,

Debra Mangan  
City Clerk

Enclosures (2)

CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

PUBLIC RIGHT OF WAY VACATION APPLICATION

TOTAL

100.00

Date Initiated 12-1-95

12/04/95

I hereby petition the City Council of the City of Edina to vacate all of the following described public right of way:

       Street        Alley   X   Utility Easement  
  X   Drainage Easement        Other                                   
(describe)

Does the area proposed to be vacated or any part thereof terminate at or abut upon any public water?   No  

Legal description of area proposed to be vacated:

THE SOUTH 95 FEET LYING WEST OF THE EAST 6.0  
FEET THEREOF ON LOT 7, BLOCK 1, KANE ADDITION

Correction as per Fran: A portion of an existing utility and drainage easement lying within the following described property: The north 46.5 feet to the South 60.0 feet lying west of the East 6.0 feet thereof on Lot 7, Block 1, Kane Addition.

Attached copy of scaled drawing showing in full detail the proposed vacation area. Also attach a survey.

Applicant PAUL P. OMELIANCHUK  
(print name)

Signature Paul P. Omelanchuk

Address 10829 LEXINGTON DRIVE  
EDEN PRAIRIE, MN 55344

Telephone 612/947-0711

Fee: \$100.00

3800  
M.S. 412.851

Paul Amelionchuk after Christmas address  
17463 Dell Webb Blvd  
Sun City, Az. 85373  
602-974-3674

New Owner: not yet moved in  
John & Quay Mitchell  
824-4646



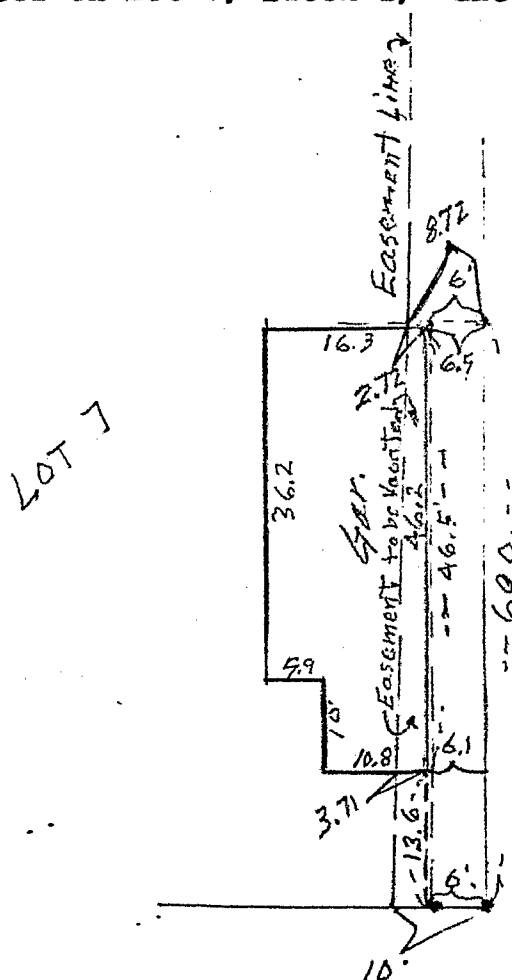


9051 Flying Cloud Drive  
Eden Prairie, Minnesota 55347  
(612) 941-3031

12/1/1995  
Rev. 12/4/1995

DESCRIPTION FOR UTILITY & DRAINAGE EASEMENT VACATION  
ON LOT 7, BLOCK 1, KANE ADDITION

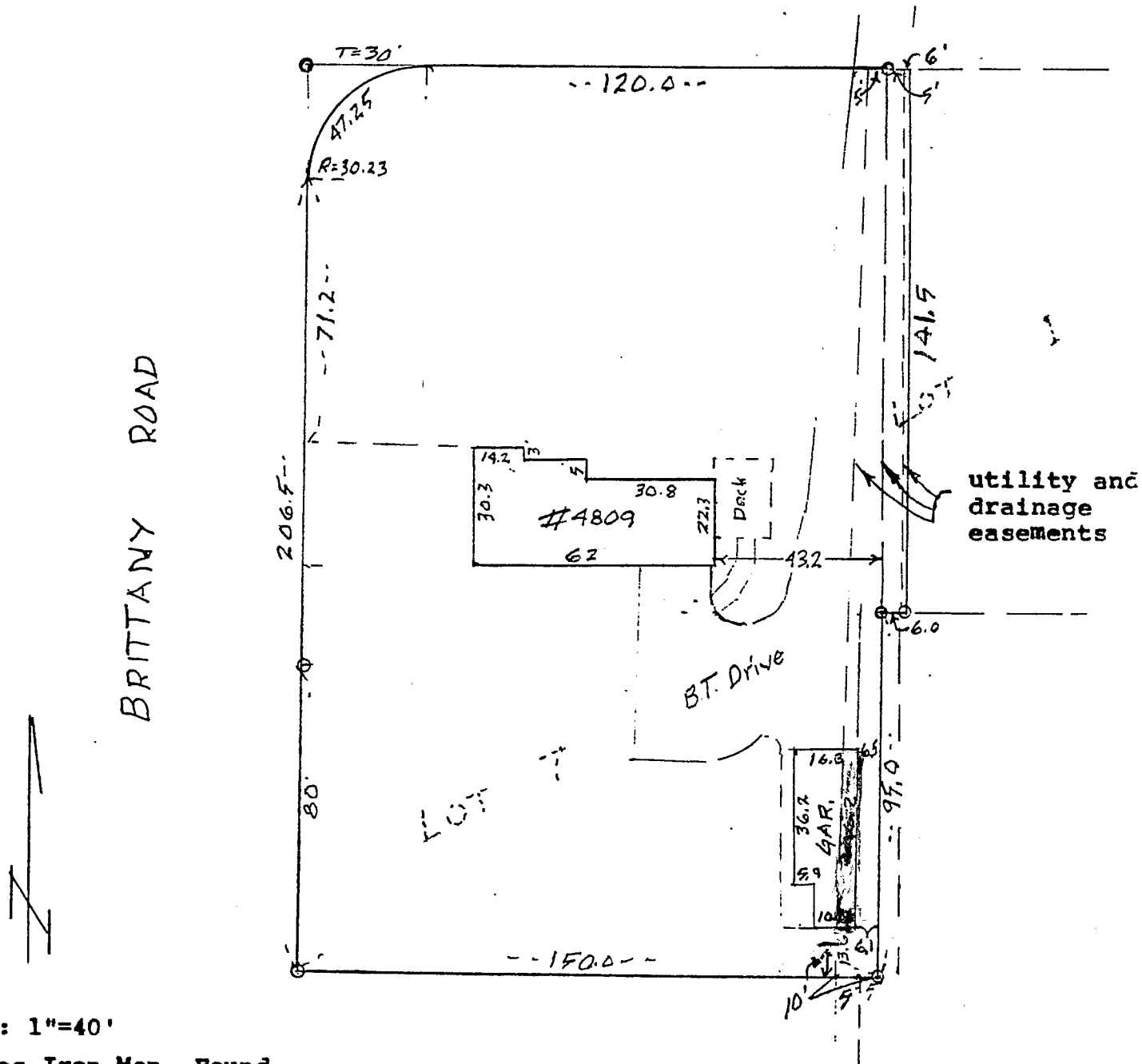
The North 46.5 feet of the South 60.0 feet lying West of the East 6.0 feet thereof on Lot 7, Block 1, Kane Addition.



# Certificate Of Survey

Survey For Paul Omelianchuk Book 347 Page 69 File 5034  
4809 West 66th St.  
Edina, MN

WEST 66<sup>TH</sup> STREET



Scale: 1"=40'

○ Denotes Iron Mon. Found

I hereby certify that this is a true and correct representation of a survey of the boundaries of Lot 7 and the West 6.0' of Lot 1, all in  
Blk. 1, Kane Addition Hennepin County, Minnesota and the location of all buildings thereon, and all visible encroachments, if any on said land.

Surveyed by me on this 1st day of December 1995

Frank R. Cardarelle  
State Reg. No. 6508

1/8/96 - Quay Mitchell

Current address: 5445 Harriet Ave  
Mpls, Mn 55419

Phone: 612 - 824 4616

Concern with whether she needs  
to arrange to attend hearing  
on the 16<sup>th</sup>

Paul Amelanchuk plans on attending  
the meeting



## REPORT/RECOMMENDATION

<b>TO:</b>	Mayor & City Council	<b>Agenda Item #</b>	<b>III.A.</b>
<b>FROM:</b>	Francis Hoffman City Engineer <i>[Signature]</i>		<input type="checkbox"/> <b>Consent</b>
<b>DATE:</b>	16 January, 1996	<b>Information Only</b>	<input type="checkbox"/>
<b>SUBJECT:</b>	Public Hearing for Vacation of Portion of Drainage Utility Easement Lot 7, Blk. 1, Kane Addition (4809 W. 66th Street)	<b>Mgr. Recommends</b>	<input type="checkbox"/> <b>To HRA</b>
			<input checked="" type="checkbox"/> <b>To Council</b>
		<b>Action</b>	<input type="checkbox"/> <b>Motion</b>
			<input checked="" type="checkbox"/> <b>Resolution</b>
			<input type="checkbox"/> <b>Ordinance</b>
			<input type="checkbox"/> <b>Discussion</b>

### Recommendation:

Vacate portion of easement that lies beneath garage on property.

### Info/Background:

Applicant requests that the City of Edina vacate a portion of a sideyard drainage and utility easement at 4809 W. 66th Street. A garage is located over a small portion of the easement. Representatives from NSP, U.S. West, Minnegasco and Paragon Cable have reviewed this request and concur with the request as long as the utilities are not required to move existing utility structures. City staff recommends the vacation subject to comments of the utilities.



CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

MINNEGASCO by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

NSP by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

PARAGON CABLE by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

RON TOMBARZ.

U.S. WEST by CP FIELD INC. ☐ Acceptable ☐ Opposed ☒ Conditional

CONDITIONS: U.S. WEST HAS NO OBJECTION TO THIS EASEMENT

VACATION AS LONG AS WE CAN MAINTAIN THE

AERIAL FACILITIES ALONG THIS EASEMENT, THIS LEAD

~~LOCATION:~~ PROVIDES SERVICE TO PETITIONER AND ADDRESSES SOUTH

OF HIS PROPERTY - IF THE OWNER REQUESTS

US TO MOVE WE WOULD DO SO AT HIS EXPENSE

Please sign and return to indicate receipt of notice as noted above. Thank you for your cooperation. Return to: City Clerk, City of Edina, 4801 W. 50th Street, Edina, MN 55424.



CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

MINNEGASCO by Stan Valberg ☒ Acceptable ☐ Opposed ☐ Conditional  
12-22-95

NSP by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

PARAGON CABLE by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

U.S. WEST by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS: \_\_\_\_\_

LOCATION: Lot 7, Bl. 1 Kane Add

Please sign and return to indicate receipt of notice as noted above. Thank you for your cooperation. Return to: City Clerk, City of Edina, 4801 W. 50th Street, Edina, MN 55424.



City of Edina

December 19, 1995

Steven Von Bargaen  
Minnegasco, Inc.  
P.O. Box 1165  
Minneapolis, MN 55440-1165

Dear Steve:

I am sending copies of the public hearing notice, petition, survey and an Edina check off sheet for the above referenced vacation request received by my office. The City Council has scheduled the public hearing for this vacation on January 16, 1996. I would very much appreciate your response by Monday, January 8, 1996, if possible. This allows time for City staff to complete necessary work before the public hearing. If I may answer any questions regarding this matter or if you need any other documentation please feel free to contact me at your convenience.

Sincerely,

  
Debra Mungen  
City Clerk

Enclosure



CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

MINNEGASCO by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

NSP by W. Karlson ☒ Acceptable ☐ Opposed ☐ Conditional

PARAGON CABLE by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

U.S. WEST by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

LOCATION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please sign and return to indicate receipt of notice as noted above. Thank you for your cooperation. Return to: City Clerk, City of Edina, 4801 W. 50th Street, Edina, MN 55424.





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City of Edina


December 19, 1995

Stuart Fraser  
Community Relations Manager  
Northern States Power Company  
5309 West 70th Street  
Edina, MN 55435

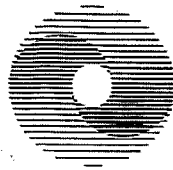
Dear Stuart:

I am sending copies of the public hearing notice, petition, survey and an Edina check off sheet for the above referenced vacation request received by my office. The City Council has scheduled the public hearing for this vacation on January 16, 1996. I would very much appreciate your response by Monday, January 8, 1996, if possible. This allows time for City staff to complete necessary work before the public hearing. If I may answer any questions regarding this matter or if you need any other documentation please feel free to contact me at your convenience.

Sincerely,

  
Debra Manger  
City Clerk

Enclosure



PARAGON  
CABLE

MINNESOTA

VIA Fax: 927-7645

January 5, 1996

Debra Mangen  
City Clerk  
City of Edina  
4801 West 50th Street  
Edina, MN 55424

RE: Easement Vacation at 4809 West 66th Street

Dear Ms. Mangen:

Paragon Cable TV has aerial cable on Northern States Power Company pole located at the southeast corner of the garage at the address referenced above. Paragon Cable continues to run aerial west from Northern States Power pole to Brittany Road. We would only have an objection to this vacation if we are forced to relocate/reroute our existing cable lines off the pole.

For faxing purposes, I have attached a portion of our construction map L57-27 pertaining to this address. I will send the original letter and attachment for your file along with the complete copy of our construction map.

If you have any questions or need further information, please call 287-3622.

Sincerely,

  
Susan Lagerquist  
Paragon Cable TV

v\_p\_ed/1



CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

MINNEGASCO by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

NSP by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

PARAGON CABLE by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☒ Conditional

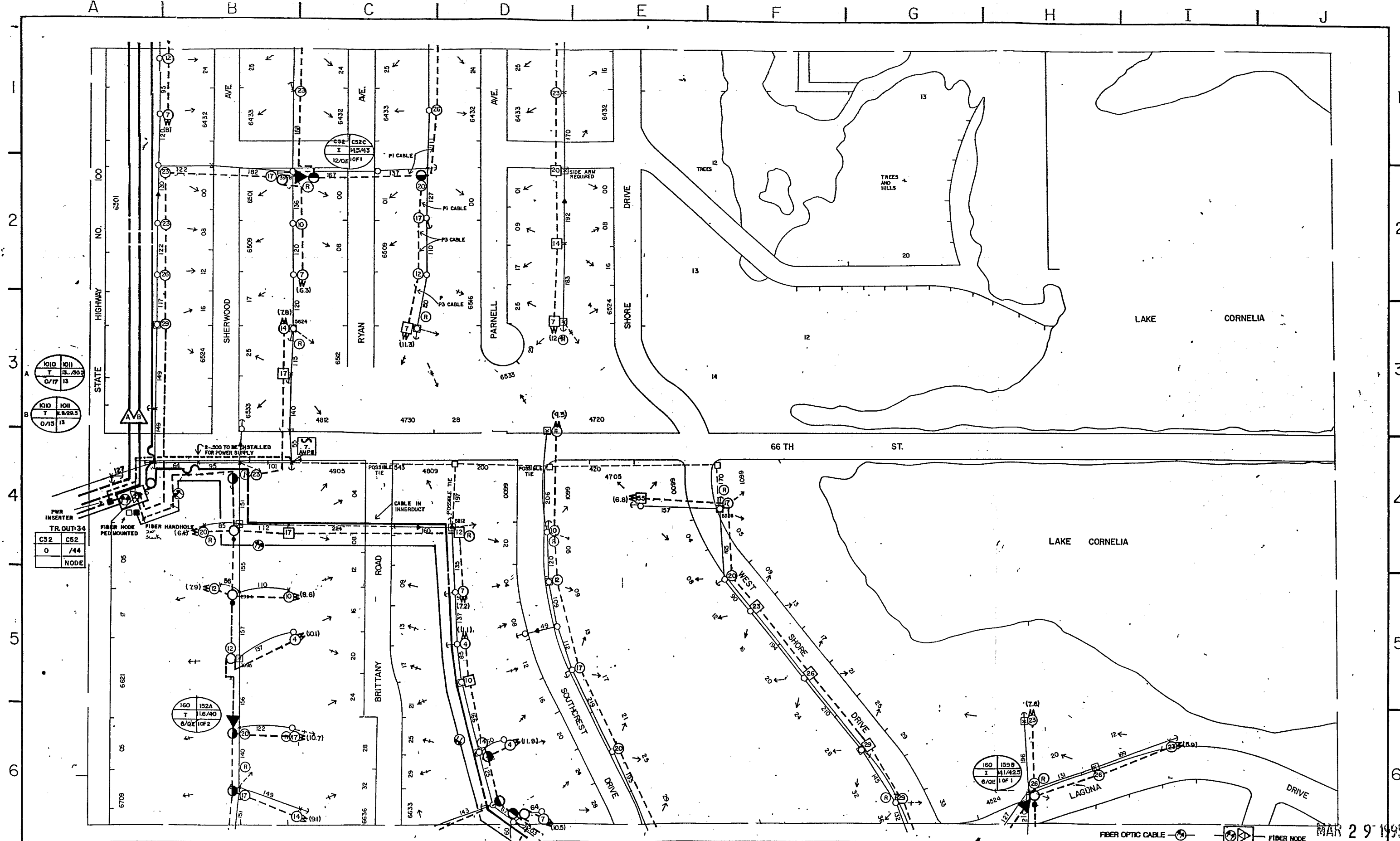
U.S. WEST by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS: IF WE HAVE TO (FORCED) TO RELOCATE/REROUTE  
OUR EXISTING AERIAL CABLE FROM NSP  
POLE AT SOUTHEAST CORNER OF GARAGE

LOCATION: 4809 WEST 66th STREET  
EDINA, MN

Please sign and return to indicate receipt of notice as noted above. Thank you for your cooperation. Return to: City Clerk, City of Edina, 4801 W. 50th Street, Edina, MN 55424.

# BINDING SPACE



SEE INSTITUTIONAL OVERLAY

TWN 28N R24W SEC 30 NW1/4  
TWN 28N R24W SEC 30 SW1/4



**MINNESOTA  
CABLESYSTEMS  
SOUTHWEST**

DESIGNED BY	NAME	DATE
APPROVED BY		
DRAWN BY		
REVISION	DATE	APPROVED

[illegible]

1. POWER SUPPLY
2. POWER MODE
3. PAD / EQ.
4. AMP NO.
5. INPUT/OUTPUT
6. CASCADE



- TRUNK AMPLIFIER
- TRUNK BRIDGER
- INTERMEDIATE BRIDGER
- MULTI-TASK



LINE EXTENDER  
SPLITTER  
DIRECTIONAL  
COUPLER  
HIGH LEG  
POWER SUPPLY



100  
750  
500  
412



☐ ☐ ☐ ☒ ☐



STRAND  
SLACK SPAN  
HEAD GUY  
RISER POLE  
UNDERGROUN



5. SINGLE UNITS \_\_\_\_\_  
4 UNITS \_\_\_\_\_  
8 UNITS \_\_\_\_\_  
8 UNITS \_\_\_\_\_  
+ UNITS \_\_\_\_\_  
TOTAL \_\_\_\_\_

COMM.	

STRAND FT  
U.G FT  
AERIAL WITH  
NO OF UNITS  
PER AERIAL  
NO OF UNITS  
PER U.G MI

9734  
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UG.  
MILE 58  
LE 0

⊗	JOH
○	PHO
X	POW
●	CAT
☉	OTH
	TOT

NT	_____
NE	37
VER	32
V	+
IER	_____
AL	_____

_____	16
_____	26
_____	36

17	18
27	28
37	38

CITY: ED  
STATE: MI  
DATE:  
MAP NO.

DINA  
MINNESOTA  
67-27

## PARAGON CABLE

## FAX COVER SHEET

10210 Crosstown Circle  
Eden Prairie, MN 55344-3304

FAX: 612/941-7163

**DATE:**

1-5-96

**FAX:**

927-7645

**TO:**

DEBRA MANGEN

**TOTAL #  
OF PAGES**

4

**PLEASE COPY:****FROM:**

SUSAN LAGERQUIST

**TELEPHONE:**

287-3622

**ADDITIONAL COMMENTS:**

DO I NEED TO SEND COPY OF LETTER &  
ATTACHMENTS TO PETITIONER?

PARAGON  
CABLE

MINNESOTA

VIA Fax: 927-7645

January 5, 1996

Debra Mangen  
City Clerk  
City of Edina  
4801 West 50th Street  
Edina, MN 55424

RE: Easement Vacation at 4809 West 66th Street

Dear Ms. Mangen:

Paragon Cable TV has aerial cable on Northern States Power Company pole located at the southeast corner of the garage at the address referenced above. Paragon Cable continues to run aerial west from Northern States Power pole to Brittany Road. We would only have an objection to this vacation if we are forced to relocate/reroute our existing cable lines off the pole.

For faxing purposes, I have attached a portion of our construction map L57-27 pertaining to this address. I will send the original letter and attachment for your file along with the complete copy of our construction map.

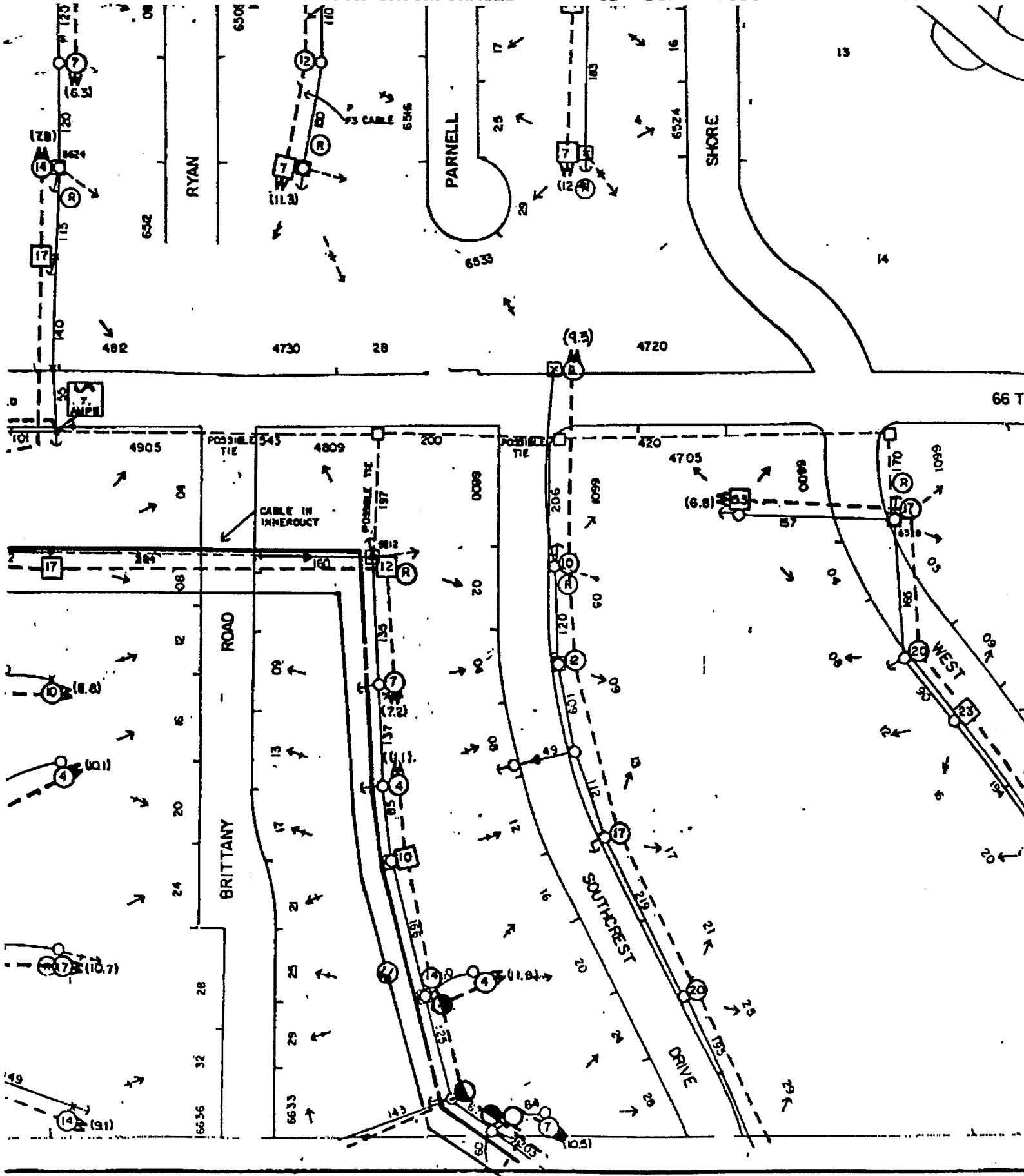
If you have any questions or need further information, please call 287-3622.

Sincerely,

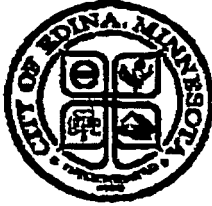


Susan Lagerquist  
Paragon Cable TV

v\_p\_cd/1



DATE	REPORTED PERFORMANCE THIS PLAN AT						
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CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

MINNEGASCO by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

NSP by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

PARAGON CABLE by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☒ Conditional

*Daron Lagerquist*  
U.S. WEST by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS: IF WE HAVE TO (FORCED) TO RELOCATE / RE ROUTE  
OUR EXISTING AERIAL CABLE FROM NSP  
POLE AT SOUTHEAST CORNER OF GARAGE

LOCATION: 4809 WEST 66th STREET  
EDINA, MN

Please sign and return to indicate receipt of notice as noted above. Thank you for your cooperation. Return to: City Clerk, City of Edina, 4801 W. 50th Street, Edina, MN 55424.





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City of Edina

December 19, 1995

Mark Kerksen  
Paragon Cable  
10210 Crosstown Circle  
Eden Prairie, MN 55434-3377

**RE: Vacation of utility easement Lot 7, Block 1, KANE ADDITION**

Dear Mark:

I am sending copies of the public hearing notice, petition, survey and an Edina check off sheet for the above referenced vacation request received by my office. The City Council has scheduled the public hearing for this vacation on January 16, 1996. I would very much appreciate your response by Monday, January 8, 1996, if possible. This allows time for City staff to complete necessary work before the public hearing. If I may answer any questions regarding this matter or if you need any other documentation please feel free to contact me at your convenience.

Sincerely,

Debra Mangen  
City Clerk

Enclosure

**To:** Susan Lagerquist  
**Fax #:** 941-7163  
**Re:** Easement Vacation, 4809 W 66th Street  
**Date:** January 5, 1996  
**Pages:** 5, including this cover sheet.

**FACSIMILE**

I am glad I found you this morning on the telephone. The public hearing for this petition has been scheduled for January 16, 1996. In order to complete their part of the process our engineering department needs to have a signed review sheet from your office by Tuesday. I am faxing to you the following:

1. Notice of Public Hearing
2. Proponent's application for easement vacation
3. Certificate of Survey showing easement and garage
4. City of Edina Review Sheet. Please sign this form and return it once the vacation has been reviewed. You can fax the form to me if this helps expedite the process.

I appreciate your help in this matter. Please feel free to contact me at your convenience if I may answer any questions.

From the desk of...

**Debra Mangen**  
City Clerk  
City of Edina  
4801 West 50th Street  
Edina, MN 55424

927-8861  
Fax: 927-7645

**CITY OF EDINA  
4801 WEST 50TH STREET**

**NOTICE OF PUBLIC HEARING  
ON VACATION OF DRAINAGE EASEMENT  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota will meet at the Edina City Hall, 4801 West 50th Street on January 16, 1996, at 7:00 P.M. for the purpose of holding a public hearing on the proposed vacation of a portion of the drainage and utility easement over Lot 7, Block 1, KANE ADDITION according to the recorded plat thereof, Hennepin County, Minnesota. (Also known as 4809 West 66th Street) described as follows:

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All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain and to enter upon the area of the proposed vacation shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Debra Mangen, City Clerk

Publish in the Edina Sun-Current on December 27, 1995 and January 3, 1996.  
Send two Affidavits of Publication.  
Bill to City of Edina

# PUBLIC RIGHT OF WAY VACATION APPLICATION

100.00

220945

[illegible]

**Legal description of area proposed to be vacated:**

THE SOUTH 95 FEET LYING WEST OF THE EAST 6.0  
FEET THEREOF ON LOT 7, BLOCK 1, KANE ADDITION  
Correction as per Fran: A portion of an existing utility and drainage easement within the following described property: The north 46.5 feet to the South (lying west of the East 6.0 feet thereof on Lot 7, Block 1, Kane Addition.

Attached copy of **scaled drawing** showing in full detail the proposed vacation area. Also attach a survey.

Applicant PAUL P. OMELIANCHUK  
(print name)

Signature Paul P. Omelchuk

Address 10829 LEXINGTON DRIVE  
EDEN PRAIRIE, MN 55344

Telephone 602/947-0711

3800  
M.S. 412.851

Land Surveyor  
Eden Prairie, MN 55344

Survey For Paul Omelianchuk Book 347 Page 69 File 5034  
4809 West 66th St.  
Edina, MN

BRITTANY ROAD

LOT #4809

BT Drive

utility and drainage easements

1"=40'

○ Denotes Iron Mon. Found

Surveyed by me on this 1st day of December 1995

**Frank R. Cardarelle**  
**State Reg. No. 6508**



CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

MINNEGASCO by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

NSP by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

PARAGON CABLE by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

U.S. WEST by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

CONDITIONS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

LOCATION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please sign and return to indicate receipt of notice as noted above. Thank you for your cooperation. Return to: City Clerk, City of Edina, 4801 W. 50th Street, Edina, MN 55424.



5910 Shingle Creek Parkway  
Brooklyn Center, MN 55430  
January 11, 1996

City of Edina  
4801 West 50th Street  
Edina, MN 55424-1394

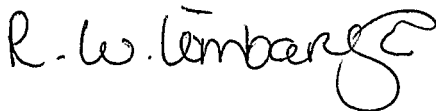
Attn: Rebecca Rudy

Re: Easement Vacation  
Kane Addition

To Whom It May Concern:

U S WEST COMMUNICATIONS has no objections to this easement vacation as long as we can maintain the aerial facilities along this easement. This lead provides service to petitioner and addresses south of his property. If the owner requests us to move we would do so at his expense.

Sincerely,



R.W. Tombarge  
Field Engineer  
612-569-2012

Attachment  
RWT/vab





CITY OF EDINA  
4801 W. 50TH STREET  
EDINA, MINNESOTA 55424

STREET AND/OR EASEMENT VACATION REVIEW

CITY ENGINEER by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

MINNEGASCO by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

NSP by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

PARAGON CABLE by \_\_\_\_\_ ☐ Acceptable ☐ Opposed ☐ Conditional

RON TEMPLES

U.S. WEST by C.P. FIELD 206. ☐ Acceptable ☐ Opposed ☒ Conditional

CONDITIONS: U.S. WEST HAS NO OBJECTION TO THIS EASEMENT

VACATION AS LONG AS WE CAN MAINTAIN THE

AERIAL FACILITIES ALONG THIS EASEMENT. THIS LEAD

LOCATION: PROVIDES SERVICE TO PETITIONER AND ADDRESSES SOUTH

OF HIS PROPERTY - IF THE OWNER REQUESTS

US TO MOVE WE WOULD DO SO AT HIS EXPENSE

Please sign and return to indicate receipt of notice as noted above. Thank you for your cooperation. Return to: City Clerk, City of Edina, 4801 W. 50th Street, Edina, MN 55424.



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City of Edina

December 19, 1995

Steven Van Anman  
U.S. West Communications  
6244 Cedar Avenue South  
Richfield, MN 55423

Dear Steven:

I am sending copies of the public hearing notice, petition, survey and an Edina check off sheet for the above referenced vacation request received by my office. The City Council has scheduled the public hearing for this vacation on January 16, 1996. I would very much appreciate your response by Monday, January 8, 1996, if possible. This allows time for City staff to complete necessary work before the public hearing. If I may answer any questions regarding this matter or if you need any other documentation please feel free to contact me at your convenience.

Sincerely,

  
Debra Mangen  
City Clerk

Enclosure

**CITY OF EDINA  
4801 WEST 50TH STREET**

**NOTICE OF PUBLIC HEARING  
ON VACATION OF DRAINAGE EASEMENT  
IN THE CITY OF EDINA  
HENNEPIN COUNTY, MINNESOTA**

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota will meet at the Edina City Hall, 4801 West 50th Street on January 16, 1996, at 7:00 P.M. for the purpose of holding a public hearing on the proposed vacation of a portion of the drainage and utility easement over Lot 7, Block 1, KANE ADDITION according to the recorded plat thereof, Hennepin County, Minnesota. (Also known as 4809 West 66th Street) described as follows:

That portion of an existing utility and drainage easement lying within the following described property: the north 46.5 feet of the South 60.0 feet lying west of the East 6.0 feet thereof on Lot 7, Block 1, KANE ADDITION.

All persons who desire to be heard with respect to the question of whether or not the above proposed easement vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed easement vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, lines, gas and sewer lines, or water pipes, mains and hydrants on or under the area of the proposed vacation, to continue maintaining the same or to enter upon such easement area or portion thereof vacated to maintain, repair replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain and to enter upon the area of the proposed vacation shall continue.

BY ORDER OF THE EDINA CITY COUNCIL

Debra Mangen, City Clerk

Publish in the Edina Sun-Current on December 27, 1995 and January 3, 1996.  
Send two Affidavits of Publication.  
Bill to City of Edina

STATE OF MINNESOTA)  
COUNTY OF HENNEPIN) SS  
CITY OF EDINA )

CERTIFICATE OF MAILING NOTICE

I, the undersigned, being the duly qualified acting City Clerk of the City of Edina, Minnesota, hereby certify that on the following date December 20, 1995, acting on behalf of said City I deposited in the United States mail copies of the attached: Notice of Public Hearing - Utility Easement Vacation (Exhibit A) enclosed in sealed envelopes, with postage thereon duly prepaid, addressed to the persons at the addresses as shown on the mailing list (Exhibit B) attached to the original hereof, which list is on file in my office, said persons being those appearing on the records of the County Auditor as owners of the property listed opposite their respective names, as of 10 days prior to the date of the hearing; and that I also sent said notice to the following corporations at the indicated addresses whose property is exempt from taxation and is therefore not carried on the records of said County Auditor.

WITNESS my hand and seal of said City this 20th day of December, 1995.

  
Edina City Clerk

**Mailing List for Vacation**

**William & Alison Fuhr  
6609 Brittany Road  
Edina, MN 55435  
30-028-24-32-0013**

**Paul & Mary Omelianchuk  
10829 Lexington Drive  
Eden Prairie, MN 55344  
30-028-24-32-0092  
(Petitioner)**

**R.H. & May Massopust  
6604 Southcrest Drive  
Edina, MN 55435  
30-028-24-32-0001**

**John & Kathleen Kenny  
6600 Southcrest Drive  
Edina, MN 55435  
30-028-24-32-0007**

**Steven Von Bargaen  
Minnegasco, Inc.  
P. O. Box 1165  
Minneapolis, MN 55440-1165**

**Mark Kerksen  
Paragon Cable  
10210 Crosstown Circle  
Eden Prairie, MN 55435-3377**

**Stuart E. Fraser  
NSP Normandale Division  
5309 West 70th Street  
Edina, MN 55435**

**Steven Van Anman  
U.S. West Communications  
6244 Cedar Avenue South  
Richfield, MN 55423**

30-028-24-32-0092  
Paul & Mary Omelianchuk  
4809 W. 66th St.  
Edina, MN 55435

30-028-24-32-0013  
William & Alison Fuhr  
6609 Brittany Road  
Edina, MN 55435

30-028-24-32-0092 01  
R.H. & Mary B. Massopust  
6604 Southcrest Drive  
Edina, MN 55435

30-028-24-32-0007  
John & Kathleen Kenny  
6600 Southcrest Drive  
Edina, MN 55435

*Deb*  
**To:** Bill Bernhjelm  
**From:** Deb Mangan  
**Subject:** Posting Notice of Public Hearing  
**Date:** January 3, 1996

## MEMORANDUM

I am attaching three copies of a public hearing notice from a January 16, 1996 Public Hearing. These notices need to be posted on the City bulletin boards at City Hall, Centennial Lakes and the Liquor Stores by January 5, 1996 in order to meet the posting deadline. I appreciate your help and cooperation as always. Thanks!

Completed  
01-03-96  
By CDO  
Granson #202



## REPORT/RECOMMENDATION

<b>TO:</b>	<b>MAYOR &amp; CITY COUNCIL</b>	<b>Agenda Item #</b> <u>V. D.</u>
<b>FROM:</b>	<b>DEBRA MANGEN CITY CLERK</b>	<b>Consent</b> <input checked="" type="checkbox"/>
<b>DATE:</b>	<b>DECEMBER 15, 1995</b>	<b>Information Only</b> <input type="checkbox"/>
<b>SUBJECT:</b>	<b>SET HEARING DATE FOR UTILITY EASEMENT VACATION, LOT 7, BLOCK 1, KANE ADDITION</b>	<b>Mgr. Recommends</b> <input type="checkbox"/> <b>To HRA</b>
		<input checked="" type="checkbox"/> <b>To Council</b>
		<b>Action</b> <input type="checkbox"/> <b>Motion</b>
		<input checked="" type="checkbox"/> <b>Resolution</b>
		<input type="checkbox"/> <b>Ordinance</b>
		<input type="checkbox"/> <b>Discussion</b>

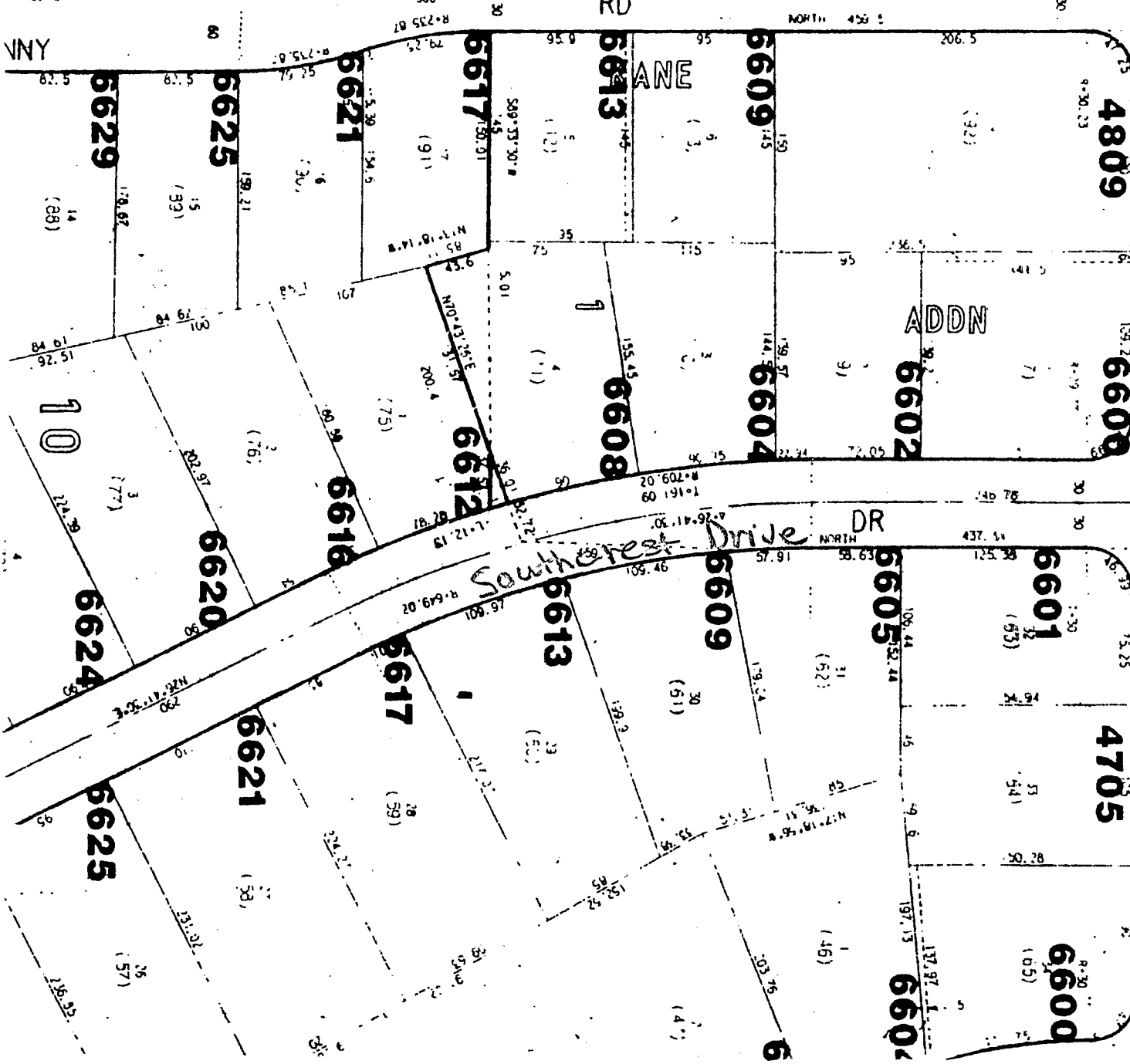
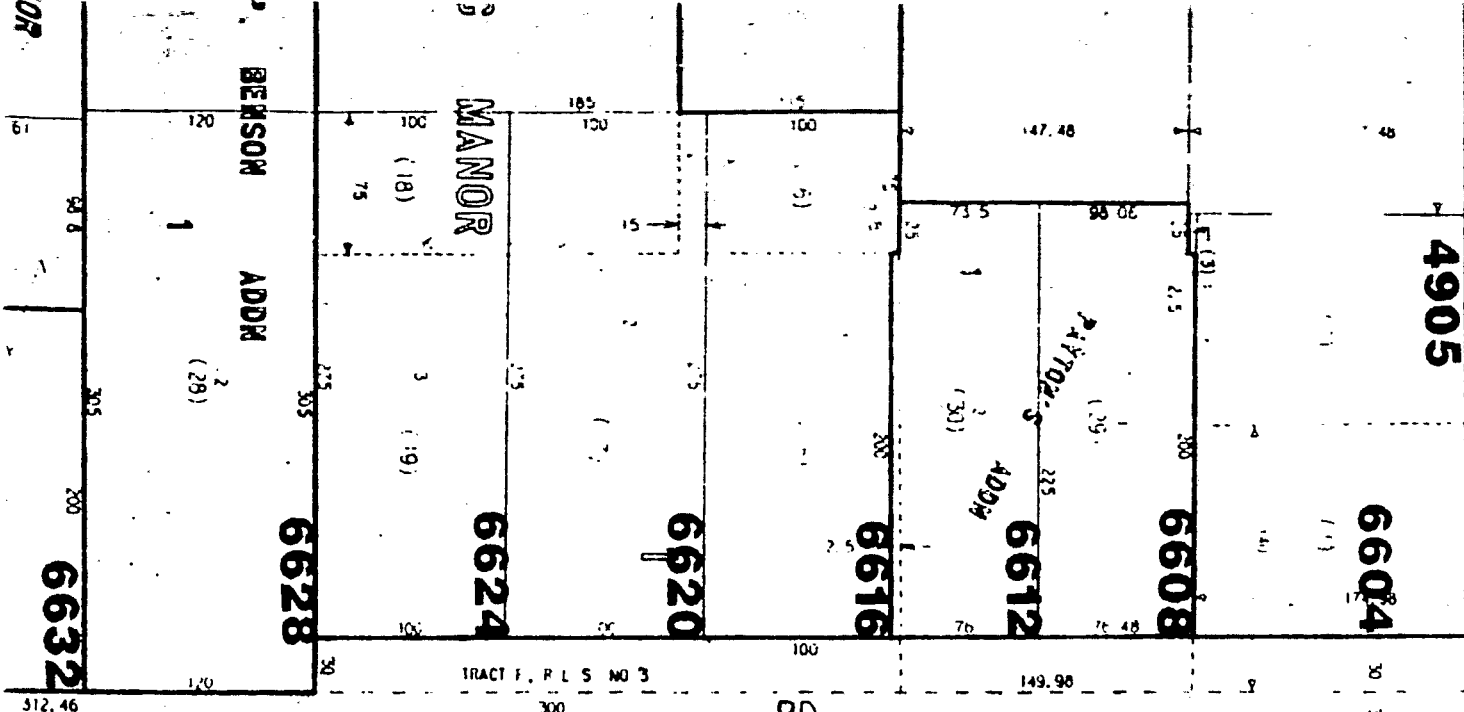
### Recommendation:

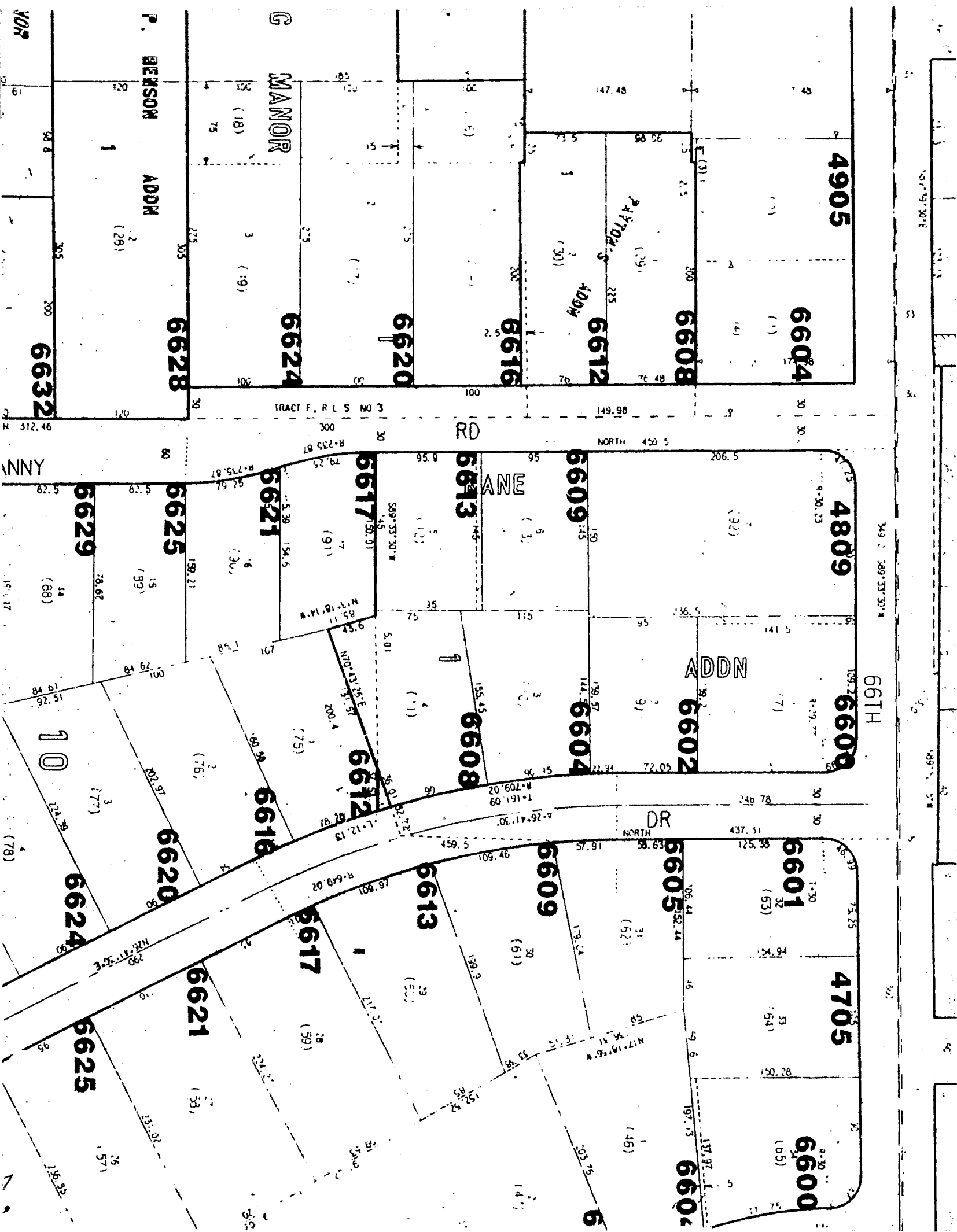
Set hearing date of January 16, 1996 for a utility easement vacation on Lot 7, Block 1, KANE ADDITION.

### Info/Background:

The City of Edina has received a utility easement vacation request from a homeowner at 4089 West 66th Street. Staff recommends setting a hearing date of January 16, 1996.







4905

6604

6608

6612

6616

6620

6624

6628

6632

4809

6609

ADDN

6602

6609

6604

6613

6608

6617

6612

6621

6616

6625

6620

6629

6624

10

4705

6601

6600

6605

6604

6609

6613

6617

6621

6625